

# Nixon Friends Concerned By 'Stonewalling' on Tapes

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Special to The New York Times

WASHINGTON, June 23 — Some of President Nixon's closest and most loyal Senate friends are showing concern over his rejection of demands for more tapes in the impeachment inquiry.

These Senators are questioning the President's position, now commonly referred to as "stonewalling," mainly on the ground that it is apparently weakening his chances for acquittal in the event of a Senate trial.

From the start of the House Judiciary Committee's impeachment inquiry it was widely assumed that the Senate would acquit Mr. Nixon if any charges of high crimes and misdemeanors were brought by the House. A two-thirds Senate vote is required for conviction.

But for the last few weeks, following Mr. Nixon's announced decision to reject future subpoenas for Watergate evidence, doubts over the outcome have been growing.

## Future Role Considered

Conservative Senators who have not taken a public position on the President's guilt or innocence attributed these doubts, in recent interviews, largely to the stonewalling of Mr. Nixon and his lawyers. All of the Senators said they were still striving, as potential judges in an impeachment trial, to keep open minds.

But the consensus was that stonewalling could not possibly help the President and that it could well hurt him because of the inference that might be drawn—namely, that he was trying to bottle up damaging evidence.

Senator Norris Cotton, Republican of New Hampshire, counts himself as among perhaps 30 or 35 Senators "who are really trying to keep open minds." He also counts himself as one of Mr. Nixon's oldest and closest friends.

But "stonewalling — withholding evidence — is bound to affect the outcome" of the impeachment proceedings, he remarked.

## Role of Public Opinion

Aside from its effect on Senators who will judge the case, he said, the President's tactics appear to be moving public opinion toward a point where it would be politically acceptable for some conservative Senators to vote for conviction whereas it would otherwise have been extremely risky to do so.

Senator Cotton, who is retiring at the end of the year at the age of 74 after 12 years in Congress, said he did not know how "even I" might be influenced by public opinion. However, he added:

"I am not going to say or even think what I would do until I see the full evidence."

Estimating that about one-third of the Senate felt the same way — with upwards of one-third favoring conviction and one-third opposing it — he said that the uncommitted Senators "will have the balance of power."

"Certainly those whose political ambitions are in the future are bound to be affected

somewhat [by public opinion]" he suggested.

"It can't help, and it may hurt," Senator John L. McClellan, Democrat of Arkansas, said in appraising the effect that stonewalling might have in a Senate trial.

None of the Senators interviewed has taken a public position on the President's guilt or innocence, and Senator McClellan said, "I hope I won't have to." The implication seemed to be that he hoped the House would not find grounds for impeachment.

## Jury Action Cited

Senator John C. Stennis, Democrat of Mississippi, a trial judge for 18 years before entering Congress, declined to express an opinion on the possible effect of the President's tactics in dealing with the House committee.

However, he expressed regret that "there is so much that destroys the presumption of innocence" and referred specifically to the disclosure that a grand jury had named Mr. Nixon as an unindicted co-conspirator in the alleged cover-up of the Watergate affair.

"That's of concern to me," he said. "It should have been kept secret."

Among others interviewed, who asked not to be quoted by name, the general feeling was that by stonewalling and in some other respects, the President had made tactical mistakes that impaired public confidence in his innocence. This could at least indirectly and perhaps unconsciously influence any judgment of Senators at a trial, it was said.

Senator Cotton said he felt the President had handled his defense "very very poorly."

"He hasn't been the old, cagy, sharp-minded Nixon I've known so well," he added. "Many times he has been firm when he should have been pliant and pliant when he should have been firm."

He said the President had "a genius for surrounding himself with foul balls from the beginning" and "seems to have a sense of loyalty to [staff people] that he should have kicked out promptly."